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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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| 09/376,842 | 08/18/99 | HUANG | T TIPT0001 |
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MM42/0217

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IRVINE CA 92614

EXAMINER

MAI.H

ART UNIT

PAPER NUMBER

2873

DATE MAILED:

02/17/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**Application No.  
**09/376,842**Applicant(s)  
**Huang**Examiner  
**Huy Mai**Group Art Unit  
**2873**☒ Responsive to communication(s) filed on Aug. 18, 1999☐ This action is **FINAL**.☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three (3) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**☒ Claim(s) 1-4 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.☒ Claim(s) 1-4 is/are rejected.☐ Claim(s) \_\_\_\_\_ is/are objected to.☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.**Application Papers**☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.☒ The drawing(s) filed on Aug. 18, 1999 is/are objected to by the Examiner.☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119**☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been☒ received.☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)**☒ Notice of References Cited, PTO-892☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_☐ Interview Summary, PTO-413☐ Notice of Draftsperson's Patent Drawing Review, PTO-948☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2873

## **DETAILED ACTION**

### ***Oath/Declaration***

1. The declaration filed on Aug. 18, 1999 is acceptable.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "3" and "3" have both been used to designate the two different magnifying lenses. Correction is required.

### ***Specification***

4. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(1). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.
5. The spacing of the lines of the specification is such as to make reading and entry of amendments difficult. New application papers with lines double spaced on good quality paper are required.
6. The claims are objected to because the lines are crowded too closely together, making reading and entry of amendments difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).
7. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

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***Claim Rejections - 35 USC § 112***

8. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitations in claims 1-4 are indefinite. The limitations in claims 1-4 do not draw the preamble "A *modified* head magnifying glass" in claims 1-4. The phrase "characterized by" should be expressed in a better word such as --comprising--, for example. The structure of the head magnifying glass in claims 1-4 is undefined clearly. The features of "clamps", "the fixer", "tenons" "magnifying plate", "a pivot seat", "an illuminating body", "the revolving bracket", "several slide resistant strips", "an arc-shaped stopper", "to the left or to the right" and "pivoting bracket" in claims 1-4 are undefined. "The left" and "the right" of what? What does the Applicant mean by "are set up", "is established", "are made" and "is built" in claims 1-4? The phrases "Claim 1" (claim 2, line 1 and claim 4, line 1) and "t Claim 1" (claim 3, line 1) should read --claim 1-- and --to claim 1--, respectively.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 1-6 are rejected under 35 U.S.C. 102(a) as being anticipated by the Applicant Prior Art Figs. 1-2.

Insofar as indefinite of claims, the limitations in claims 1-6 can read in the Prior Art Figs. 1-2. Prior Art Figs. 1-2 show a head magnifying glass comprising a magnifying lens 30, a fixer 20, a magnifying plate and an illuminating body 60.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Mai whose telephone number is (703) 308-4874. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722 (or 7724).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Huy Mai  
Primary Examiner

HM/  
February 13, 2000